

cal amendment to clarify that pumped storage hydroelectric facilities are included among hydroelectric facilities qualifying for tax-exempt industrial development bonds.

Page 36302

(7) Wallop amendment No. 786, to limit application of the tier I tax to oil benefiting from decontrol of prices.

Page 36302

(8) Wallop amendment No. 787, to make a technical correction to the special rule for transfers of proven oil or gas properties under the net income limitation.

Page 36303

(9) Wallop amendment No. 788, to conform the method of adjusting tier I and tier II base prices under the windfall profits tax to the method of adjusting lower and upper tier ceiling prices under Department of Energy regulations.

Page 36303

(10) Durenberger amendment No. 751, concerning treatment of State and local obligations funding certain hydroelectric power generating and cogeneration projects.

Page 36310

(11) Jackson unprinted amendment No. 880, to strike the provisions which override the Natural Gas Policy Act of 1978 (to Baucus amendment No. 767).

Page 36317

(12) Glenn unprinted amendment No. 881, to determine the credit for production of unconventional gas based upon a reference price related to gas prices rather than oil prices (to Baucus amendment No. 767).

Page 36320

(13) Long unprinted amendment No. 883, technical amendments.

Page 36322

(14) Baucus amendment No. 767, to permit gas produced from tight sand formations to be treated as a qualified fuel for purposes of the credit for production of fuels from nonconventional sources (as amended by Jackson and Glenn).

Page 36314

Rejected:

(1) Danforth amendment No. 816, to eliminate the exemption for State or local governments. (Motion to table agreed to by 65 yeas to 28 nays.)

Page 36241

(2) By 42 yeas to 49 nays, modified Percy amendment No. 798, to provide a twenty percent energy investment credit for certain coal-fueled boilers and related equipment. (By 45 yeas to 47 nays a motion to table this amendment was rejected.)

Page 36294

By 70 yeas to 2 nays Senate agreed to a motion to instruct the Sergeant-at-Arms to request the attendance of absent Senators.

Page 36241

Pages 36240-36326

Adjournment: Senate briefly adjourned, thus changing the legislative day.

Page 36359

Statements on Introduced Bills:

Pages 36330-36340

Amendments Submitted for Printing:

Pages 36340-36341

Motion Submitted for Printing:

Page 36341

Additional Statements:

Pages 36341-36348

Record Votes: Five record votes were taken today (Total—488).

Pages 36241, 36264-36265, 36267, 36301

Quorum Call: One quorum call was taken today (Total—18).

Page 36240

Recess: Senate met at 9 a.m., and recessed at 7:14 p.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Its next meeting will be held at noon on Monday, December 17.

Committee Meetings

No committee meetings were held.



Monday, December 17, 1979

Senate

Chamber Action

Routine Proceedings, pages 36418-36592

Bills Introduced: five bills and one resolution were introduced, as follows: S. 2141-2145; S. Res. 316.

Pages 36523, 36559

Bills Reported: Reports were made as follows:

S. Con. Res. 59, calling for an international conference on Cambodia to deal with the political and humanitarian crisis (S. Rept. No. 96-505).

S. Res. 316, commending the government of Thailand for its humanitarian assistance to the Indo-Chinese refugees and victims of war (S. Rept. No. 96-506).

S. 523, to revise the pay provisions of certain medical personnel in the Armed Forces, with amendments (S. Rept. No. 96-507).

Special Report Pursuant to Section 302(b) of the Congressional Budget Act of 1974 (S. Rept. No. 96-508).

Page 36523

Measure Passed:

Windfall profits: By 74 yeas to 24 nays, Senate passed H.R. 3919, to impose a windfall profit tax on

domestic crude oil, after adopting the following additional amendments proposed thereto as follows:

Adopted:

(1) Modified Stevens amendment No. 592, relating to the involuntary liquidation of LIFO inventories.

Page 36425

(2) Modified Glenn amendment No. 1042, to provide for an annual review of energy research and development programs within the Department of Energy.

Page 36433

(3) By 74 yeas to 16 nays, Modified McClure amendment No. 865, relative to the production of alcohol and its potential as a substitute fuel or the blending of such with petroleum as an extender.

Page 36428

(4) Modified Hart amendment No. 1589, to adjust the \$23.50 phaseout factor by the implicit GNP deflator for nonresidential investment in structures and to use the average refiner acquisition cost of all, rather than just imported, crude oil as the reference price, and to permit expanded use of the existing energy investment credit with respect to investment in certain pioneering synthetic fuel production facilities.

Page 36453

(5) Bradley amendment No. 832, to permit oil cogeneration if, one, there is a 30 percent savings in energy, and two, if the facility qualifies under section 103 of the act as a major fuel-burning installation.

Page 36459

(6) By 94 yeas to 4 nays, Bentsen amendment No. 1444, in the nature of a substitute for Bentsen amendment No. 791, to exempt a portion of interest income from taxation (Motion to table rejected by 41 yeas to 57 nays).

Page 36459

(7) Modified Bentsen amendment No. 791, (as amended by Bentsen amendment No. 1444, in the nature of a substitute.

Page 36459

(8) Modified McClure amendment No. 866, to provide reference to oceanic and terrestrial crops that are allowed certain biomass treatment which includes by-products and residues of both oceanic and terrestrial crops.

Page 36483

(9) Randolph amendment No. 796, to exclude front end tertiary oil in certain cases (This amendment was modified later in the day).

Page 36488

(10) Modified Cranston amendment No. 1320, providing a procedure to make items eligible for the residential energy credit (Amended by Cranston unprinted amendment No. 886, relative to qualifying certain property for energy credits.)

Page 36489

(11) Heflin amendment No. 1318, to recognize future correction in the marginal property regulation for properties 10,000 feet or more in depth.

Page 36490

(12) Long amendment No. 1593, providing for an exemption from Federal tax in certain cases.

Page 36491

(13) Gravel amendment No. 805, to clarify taxation of Alaska Natives under the windfall profits tax.

Page 36491

(14) Long unprinted amendment No. 887, of a technical nature.

Page 36504

During consideration of this measure today, by 61 yeas to 36 nays, the Senate sustained the ruling of the Chair that the Tower amendment No. 829, to provide for the granting of adjustments in cases of special hardship, inequity or unfair distribution of burdens, was not germane; and by 69 yeas to 26 nays, the Senate sustained the ruling of the Chair that the Bumpers amendment No. 1038, to provide a tax credit for converting one's automobile to alcohol fuel, was not germane.

Page 36483

By 84 yeas to 14 nays, three fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to motion to close further debate on this measure. Also during consideration of this measure, by 93 yeas to 2 nays, Senate agreed to a motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Page 36442

Senate insisted on its amendments, requested a conference with the House and appointed as conferees Senators Long, Talmadge, Byrd of Virginia, Nelson, Gravel, Bentsen, Moynihan, Dole, Packwood, Roth and Danforth.

Page 36514

Pages 36423-36515

Burial: Senate passed S. 2145, to provide for the burial of Elizabeth Myers McNeil in the Veals Chapels Cemetery, Fort Jackson, South Carolina.

Pages 36515-36516

Chrysler Loan Guarantees: Senate considered S. 2094, authorizing \$4 billion in loan guarantees to the Chrysler Corporation, on which a time limitation agreement was reached.

Pages 36587-36591

Time Limitation Agreements: Time limitation agreements were reached relative to the consideration of Conference Reports on H.R. 3875, Housing and Community Development amendments, and S. 673, authorizing funds for fiscal years 1980 and 1981 for national security programs of the Department of Energy.

Page 36587

Legislative Program: Leadership discussed Senates legislative program ahead.

Pages 36418-36419

Nominations: Senate received the following nominations:

Vice Admirals Clarence R. Bryan and Robert P. Coogan, U.S. Navy, each to the grade of Vice Admiral on the retired list;

Rear Admiral Robert F. Schoultz, U.S. Navy, to be Vice Admiral; and

A list of Coast Guard Reserve to be permanent com-

missioned officers in the Coast Guard Reserve in the grade of Captain.

Page 36592

Messages From the President:

Page 36523

Messages From the House:

Page 36523

Bill Referred:

Page 36523

Statements on Introduced Bills:

Pages 36523-36558

Amendments Submitted for Printing:

Page 36559

Committee Authority To Meet:

Pages 36559-36560

Additional Statements:

Pages 36560-36587

Nominations:

Page 36592

Record Votes: Eight record votes were taken today. (Total—496)

Pages 36436-36437, 36441, 36442, 36479-36480, 36483, 36485, 36487, 36510

Quorum Call: One quorum call was taken today. (Total—19)

Page 36441

Recess: Senate met at 10 a.m., and recessed at 10:08 p.m.

Committee Meetings

MILITARY MEDICAL PERSONNEL PAY

Committee on Armed Services: Committee ordered favorably reported with amendments S. 523, to revise the pay provisions of certain medical personnel in the Armed Forces.

STATE-CHARTERED BANKS/LENDING RATES

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on S. 1988, to provide state-chartered banks the authority to lend at a maximum interest rate of one percent above the discount rate, after receiving testimony from Senators Bumpers and Pryor; Harold A. Black, Member of the Board, National Credit Union Administration; Jay Janis, Chairman, Federal Home Loan Bank Board; Frederick H. Schultz, Governor, Federal Reserve Board; Irvine R. Sprague, Chairman, Federal Deposit Insurance Corporation; E. D. Dunn, Georgia Commissioner of Banking and Finance, Atlanta; Joseph Cugini, Credit Union National Association, William H. Kennedy, Pine Bluff, Arkansas, representing the American Bankers Association, Frank L. Coffman, Jr., Harrison, Arkansas, representing the National Savings and Loan League, Albert B. Hooke, Rochester, New York, representing the National Association of Mutual Savings Banks, and Norman Strunk, Chicago, Illinois, representing the U.S. League of Savings Associations, and Admiral Vincent A. Lascara, National Association of Federal Credit Unions, all of Washington, D.C.; and R. M. Duffey, Jr., Texas Bankers Association, Austin.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded hearings on the nomination of Thomas E. Stelson, of Georgia, to be an Assistant Secretary of Energy (Conservation and Solar Applica-

tions), after the nominee, who was introduced by Senator Nunn, testified and answered questions in his own behalf.

NOMINATION

Committee on Environment and Public Works: Committee concluded hearings on the nomination of Alfred P. Smith, of Kentucky, to be Federal Cochairman of the Appalachian Regional Commission, after the nominee, who was introduced by Senator Ford, testified and answered questions in his own behalf.

Also, Committee concluded hearings on an amended building prospectus for lease of Federal office space in Milwaukee, Wisconsin, after receiving testimony from Representative Reuss, and Arthur Barton, Director, Planning Division, Office of Space Management, General Services Administration.

D.C. LOCATION OF CHANCERIES

Committee on Governmental Affairs: Committee approved for reporting S. Con. Res. 63, to disapprove the action of the City Council of the District of Columbia with regard to the location of chanceries.

Prior to this action, the Subcommittee on Governmental Efficiency and the District of Columbia approved this resolution for full committee consideration after receiving testimony from David M. Childs, Chairman, National Capital Planning Commission; W. Beverly Carter, Ambassador at Large for Liaison with State and Local Governments; Arrington Dixon, Chairman, City Council; Judith Rogers, Corporation Counsel, and Ruby B. McZier, Chairman, Zoning Commission, all of the District of Columbia government; and Steven Koczak, Federation of Citizens Association, Harriet Hubbard, Dupont Circle Citizens Association, Lawrence Hargrove, Adams-Morgan Advisory Neighborhood Association, Elaine Dym, Kalorama Advisory Neighborhood Association, Samuel Scrivener, Sheraton-Kalorama Neighborhood Council, and David Grinnell, Advisory Neighborhood Council 3-C, all of Washington, D.C.

INDIAN TRIBES

Select Committee on Indian Affairs: Committee concluded hearings to determine whether the April 1, 1980, statute of limitations deadline should be extended for commencing actions on behalf of an Indian tribe, band, or group by the Federal Government, after receiving testimony from Forrest J. Gerard, Assistant Secretary for Indian Affairs, and Hans Walker, Acting Associate Solicitor, Division of Indian Affairs, and numerous Solicitors, all of the Department of the Interior; Myles E. Flint, Chief, Indian Resources Section, Lands and Natural Resources Division, Department of Justice; Delfin Lavato, All Indian Pueblo Council, and LaDonna Harris, Americans for Indian Opportunity, both of Albuquerque, New Mexico; Bruce Friedman, California Indian Legal Services, Oakland; George Goodwin, Minnesota Chippewa Tribe, Minneapolis; John Echo-

hawk, Native American Rights Fund, Boulder, Colorado; Guy Johnson, Tri-County Land Owners Association, Rock Hill, South Carolina; William Nisbet, South Carolina Commission to Study Claims of Catawba Tribe, Columbia; and Kirke Kickingbird, The Institute for the Development of Indian Law, Washington, D.C.

House of Representatives

Chamber Action

Bills Introduced: 2 public bills, H.R. 6157 and 6158; 2 private bills, H.R. 6159 and 6160; and 3 resolutions, H.J. Res. 466, H. Con. Res. 229, and H. Res. 508 were introduced. Page 36412

Bills Reported: Reports were filed as follows:

Report by the Committee on Post Office and Civil Service entitled "Report Pursuant to Section 302(b) of the Congressional Budget Act of 1974" (H. Rept. 96-708); and

H.R. 4113, to amend the Federal Water Pollution Control Act to provide an additional allotment of funds to certain States, amended (H. Rept. 96-709). Page 36412

Consent Calendar: On the call of the Consent Calendar, the House passed the following bills:

Cleared for the President:

American Legion membership: S. 1874 (in lieu of H.R. 5583), to amend the Act incorporating the American Legion so as to redefine eligibility for membership therein.

Sent to the Senate without amendment:

Relocation expenses of exchange program participants: H.R. 5174, to amend section 209 of title 18, United States Code.

Sent to the Senate, amended:

Cibola Forest lands: H.R. 3928, to amend the Act of November 8, 1978 (92 Stat. 3095) to designate certain Cibola National Forest lands as additions to the Sandia Mountain Wilderness, New Mexico. Pages 36381-36383

Suspensions: House voted to suspend the rules and pass the following:

Tax code revisions: H.R. 5973, to amend the Internal Revenue Code of 1954 to waive in certain cases the residency requirements for deductions or exclusions of individuals living abroad, and to allow the tax-free roll-over of certain distributions from money purchase pension plans; Pages 36384-36386

Conference on Cambodia: H. Con. Res. 219, calling for an international conference on Cambodia; Pages 36386-36388

Extension of funds transfer services: H. Res. 508, providing for agreeing, with amendments, to the Senate amendments to H.R. 4998, to amend the Federal Re-

serve Act to require that detailed minutes of Federal Open Market Committee meetings shall be published on a deferred basis; Pages 36391-36405

Retired Federal employees health benefits: S. 716, to amend the Retired Federal Employees Health Benefits Act, as amended, with respect to the Government contribution toward subscription change—clearing the measure for the President; and Pages 36405-36406

Extra long staple cotton: H.R. 5523, amended, to establish an improved program for extra long staple cotton. Pages 36406-36408

Hostages in Tehran: House completed all general debate on a motion to suspend the rules and agree to H. Con. Res. 221, to insure appropriate financial recognition for the hostages in Tehran. The yea-and-nay vote on this motion was postponed until Tuesday, December 18. Pages 36388-36391

Referral: One Senate-passed measure was referred to the appropriate House committee. Page 36411

Adjournment: Adjourned at 1:53 p.m.

Committee Meetings

No meetings were held.

Joint Committee Meetings

NATIONAL ENERGY SUPPLY

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 1308, to provide for the development of domestic energy supplies, but did not complete action thereon and recessed subject to call.

ENERGY PRODUCTION

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 932, authorizing funds to establish the production of synthetic fuels, gasohol, solar energy, renewable resources, and geothermal energy, and to establish an energy conservation program and energy supply targets, but did not complete action thereon and recessed subject to call.

Tuesday, December 18, 1979

Senate

Chamber Action

Routine Proceedings, pages 36602-36756

Bills Introduced: Five bills and one resolution were introduced, as follows: S. 2146-2150; S. Res. 317. Pages 36693, 36723

Bills Reported: Reports were made as follows: